

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ERIC & CO TRADING GROUP LLC,

CASE NO.: 23-CV-20045-RKA

Judgment Creditor,

v.

FLOYD MAYWEATHER, JR.,

Judgment Debtor.

and

JP MORGAN CHASE BANK, N.A. and
ENHANCE HEALTH LLC,

Garnishees.

MOTION TO COMPEL

Judgment Creditor, ERIC & CO TRADING GROUP LLC (“**Judgment Creditor**” or “**Eric & Co.**”), moves for the issuance of a Order Compelling, on an *ex parte* basis, Judgment Debtor, Floyd Mayweather stating in support thereof as follows:

1. On June 3, 2023, this Court entered a Final Judgment (the “**Judgment**”) in favor of Eric & Co. and against FLOYD MAYWEATH, JR. (“**Judgment Debtor**” or “**Mayweather**”), in the sum of \$1,168,650, plus prejudgment interest of \$111,551.32, with interest at the current post-judgment statutory rate as designated in the State of Florida at the time of the filing of this Motion of 7.69%.

2. The Judgment was electronically filed by the Court Deputy on June 5, 2023, and a copy of the Judgment was certified by the Clerk on August 1, 2023.

3. The Judgment was recorded on August 15, 2023, under Instrument #119041719 of the Official Public Records of Broward County, Florida. A true and correct copy of the Broward County recorded Judgment is attached hereto as **Exhibit A** and incorporated by reference herein.

4. The Judgment was also recorded on August 22, 2023, under CFN: 20230584720, Book 33846, Page 1498 of the Official Public Records of Miami-Dade County, Florida. A true and correct copy of the Miami-Dade County recorded Judgment is attached hereto as **Exhibit B** and incorporated by reference herein.

5. The sum of \$1,168,650, plus prejudgment interest of \$111,551.32, and post-judgment interest, attorneys' fees and costs in the amount of \$8,576 remains due and unpaid on the Judgment. There is no justification for MAYWEATHER's refusal or failure to satisfy the Judgment given his current net worth.

6. Thereafter, on or about September 20, 2023, ERIC & CO, issued a Request for Production onto MAYWEATHER.

7. The First Request for Production was served onto MAYWEATHER via U.S. Mail, and again via text message on or about September 22, 2023. The text messages were read by MAYWEATHER after being served onto Mayweather.

8. In addition, and subsequent to serving the foregoing Requests for Production, the undersigned contacted MAYWEATHER to request that MAYWEATHER appear for a deposition.

9. On or about October 1, 2023, Jared Lopez, Esq. of the law firm of Black Srebnick, contacted the undersigned to notify him that his office would be representing MAYWEATHER in this matter. A true and correct copy of the correspondence between the undersigned counsel and Mr. Lopez is attached hereto as **Composite Exhibit C**.

10. As set forth in the foregoing correspondence, the undersigned has requested, on several occasions that MAYWEATHER respond to the Request for Production and provide dates for deposition.

11. The undersigned also contacted Mr. Lopez and left a voicemail on or about October 23, 2023 to inquire as to the status of MAYWEATHER's response to discovery.

12. To date, the First Request for Production has not been responded to. In addition, MAYWEATHER has not provided dates when he is available for deposition.

13. There is no basis for MAYWEATHER to ignore the Request for Production, and MAYWEATHER has not requested any enlargement of time.

14. Accordingly, ERIC & CO. moves for the issuance of a Writ of Garnishment against Garnishees.

15. ERIC & CO also requests that the Court award it attorney's fees, pursuant to Fed. R. Civ. P. 37.

WHEREFORE, ERIC & CO. respectfully requests that the Clerk of the Court issue an Order(i) Granting the Motion; (ii) Directing Judgment Debtor FLOYD MAYWEATHER, JR. to respond to the First Request for Production and Appear for a Deposition; (iii) Award ERIC & CO. attorney's fees and costs; and (iv) Granting such further relief as the Court deems just and proper.

DATED this 25th day of October, 2023.

Respectfully submitted,

MILLENNIAL LAW

Attorneys for Judgment Creditor

501 E. Las Olas Blvd Ste 200/314

Fort Lauderdale, FL 33301

Phone: 954-271-2719

By: s/ Zachary P. Hyman

Zachary P. Hyman

Florida Bar No. 98581

zach@millenniallaw.com

jessica@millenniallaw.com

assistant@millenniallaw.com

millenniallawforms@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via email text message and US Mail on this **25th** day of October, 2023, as follows:

Floyd Mayweather, Jr.
9504 Kings Gate Ct,
Las Vegas NV 89145
and
3753 Howard Hughes Pkwy, Ste 200-416
Las Vegas NV 89169-0592

Judgment Debtor

with copies to:

Jared Lopez, Esq.
jlopez@royblack.com
zmarkoe@royblack.com
201 S. Biscayne Blvd Suite 1300
Miami, FL 33131
Purported Counsel to Judgment Debtor

EXHIBIT A

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-20045-ALTMAN/Reid

ERIC & CO TRADING GROUP LLC,

Plaintiff,

v.

FLOYD MAYWEATHER, JR.,

Defendant.

_____ /

DEFAULT FINAL JUDGMENT

In a separate Order [ECF No. 13], the Court granted the Plaintiff's Motion for Entry of Final Default Judgment [ECF No. 9]. Pursuant to Federal Rule of Civil Procedure 58, the Court hereby **ORDERS and ADJUDGES** that:

1. Judgment is entered in favor of the Plaintiff as follows:
 - a. The Plaintiff shall recover from the Defendant:
 - i. Treble damages in the amount of **\$1,168,650** for civil theft pursuant to Fla. Stat. § 772.11(1).
 - ii. Reasonable attorneys' fees and costs in the amount of **\$8,576** pursuant to Fla. Stat. § 772.11(1).
2. The Plaintiff shall be entitled to pre-judgment interest on the total judgment amount at the applicable legal rate from June 6, 2021, through the date of this Judgment.
3. The Plaintiff shall be entitled to post-judgment interest on the total judgment amount as allowable by law from the date of this Judgment through the date of payment.
4. For the above sums, let execution issue.
5. The Court retains jurisdiction to enforce this Default Final Judgment.

Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 2 of 2

DONE AND ORDERED in the Southern District of Florida on June 3, 2023.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record

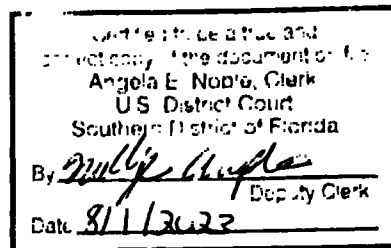


EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-cv-20045-ALTMAN/Reid

ERIC & CO TRADING GROUP LLC,

Plaintiff,

v.

FLOYD MAYWEATHER, JR.,

Defendant.

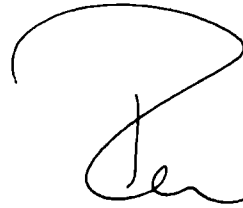
DEFAULT FINAL JUDGMENT

In a separate Order [ECF No. 13], the Court granted the Plaintiff's Motion for Entry of Final Default Judgment [ECF No. 9]. Pursuant to Federal Rule of Civil Procedure 58, the Court hereby **ORDERS and ADJUDGES** that:

1. Judgment is entered in favor of the Plaintiff as follows:
 - a. The Plaintiff shall recover from the Defendant:
 - i. Treble damages in the amount of **\$1,168,650** for civil theft pursuant to Fla. Stat. § 772.11(1).
 - ii. Reasonable attorneys' fees and costs in the amount of **\$8,576** pursuant to Fla. Stat. § 772.11(1).
2. The Plaintiff shall be entitled to pre-judgment interest on the total judgment amount at the applicable legal rate from June 6, 2021, through the date of this Judgment.
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4. For the above sums, let execution issue.
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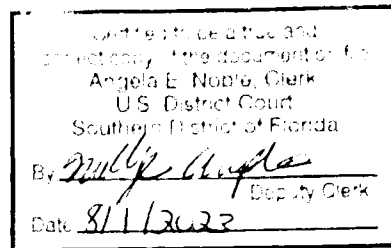
Case 1:23-cv-20045-RKA Document 15 Entered on FLSD Docket 06/05/2023 Page 2 of 2

DONE AND ORDERED in the Southern District of Florida on June 3, 2023.



ROY K. ALTMAN
UNITED STATES DISTRICT JUDGE

cc: counsel of record



COMPOSITE EXHIBIT C

Millennial Assistant

From: Zachary Hyman
Sent: Wednesday, October 25, 2023 10:09 AM
To: Jared Lopez
Cc: Zaharah R. Markoe; Millennial Assistant; Jessica Faith Lopez
Subject: RE: Eric & Co. Trading Group LLC, v. Floyd Mayweather, Jr.

Mr. Lopez,
We have tried to call you, and e-mail you to discuss this matter, and the Requests for Production that are now overdue.

We are going to be filing a Motion to Compel today. However, as stated, we would prefer to resolve the discovery dispute through entry into an Agreed Order.

I look forward to hearing from you.
Thank you,
Zachary Hyman

From: Zachary Hyman
Sent: Tuesday, October 24, 2023 11:32 AM
To: Jared Lopez <JLopez@royblack.com>
Cc: Zaharah R. Markoe <zmarkoe@royblack.com>; Millennial Assistant <assistant@millenniallaw.com>; Jessica Faith Lopez <Jessica@millenniallaw.com>
Subject: RE: Eric & Co. Trading Group LLC, v. Floyd Mayweather, Jr.

Mr. Lopez,
Please consider this to be our good faith attempt to meet and confer before seeking relief from the Court.

As you are likely aware, we served a request for production onto your client on September 20, which was re-served via text message and sent you a copy of the Request for Production. To date, there has been no effort to respond to the Request for Production. In addition, we would like to take your client's deposition, but have yet to receive dates.

Can you please let us know your position on these matters, so we don't have to seek judicial relief?

In addition, can you please confirm your representation of Mayweather?
Thank you,
Zachary Hyman

From: Zachary Hyman
Sent: Monday, October 23, 2023 7:52 AM
To: Jared Lopez <JLopez@royblack.com>
Cc: Zaharah R. Markoe <zmarkoe@royblack.com>; Millennial Assistant <assistant@millenniallaw.com>; Jessica Faith Lopez <Jessica@millenniallaw.com>
Subject: RE: Eric & Co. Trading Group LLC, v. Floyd Mayweather, Jr.

Mr. Lopez,
I hope all is well. It's been more than a month since we served a Request for Production onto your client, and we have not received a response, nor have we received deposition dates. In addition, your office has not entered an appearance in the case.

Can you please let us know when your client will be responding to discovery, and provide us dates when he is available for deposition?

I'm also happy to coordinate a phone call to discuss this matter if you'd like.

Thank you,
Zach

From: Zachary Hyman
Sent: Sunday, October 1, 2023 1:17 PM
To: Jared Lopez <JLopez@royblack.com>
Cc: Zaharah R. Markoe <zmarkoe@royblack.com>; Millennial Assistant <assistant@millenniallaw.com>; Jessica Faith Lopez <Jessica@millenniallaw.com>
Subject: RE: Eric & Co. Trading Group LLC, v. Floyd Mayweather, Jr.

Jared,
It's great to hear from you, or someone associated with Mr. Mayweather. We have been trying to contact people who previously represented him to discuss this matter but were forced to contact him directly when none of them responded. It's good that there is someone who we can communicate with, and we hope we can get this matter resolved without having to incur additional substantial attorney's fees and costs.

As you know, my client has obtained the enclosed judgment against your client and in aid of execution on that judgment has issued the enclosed request for production. We have also requested that your client provide us with deposition dates. If you need a reasonable accommodation to address the document requests and/or provide us with deposition dates, we are happy to work with you.

I'm available tomorrow afternoon from 3:30-5:00p.m. to discuss this matter. If that time does not work for you, please suggest an additional time.

I look forward to working with you, and hope you have a great weekend as well.
Thank you,
Zachary Hyman

From: Jared Lopez <JLopez@royblack.com>
Sent: Sunday, October 1, 2023 12:45 PM
To: Zachary Hyman <Zach@millenniallaw.com>
Cc: Zaharah R. Markoe <zmarkoe@royblack.com>
Subject: Eric & Co. Trading Group LLC, v. Floyd Mayweather, Jr.

Mr. Hyman –

Our Firm has been engaged by Mr. Floyd Mayweather, Jr. in connection with the above-referenced matter. We will be making an appearance in the case tomorrow. Once we file our appearance we will contact you to arrange a mutually agreeable time to discuss the status.

Kindly direct all communications about this matter to our attention. Please include my colleague Zaharah Markoe on all communications. She is copied on this email.

Have a great rest of the weekend.

Regards,

Jared

Jared Lopez

Managing Partner

BlackSrebnick

CIVIL | CRIMINAL

201 South Biscayne Boulevard, Suite 1300, Miami, FL 33131

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<https://url.avanan.click/v2/> www.royblack.com .YXAzOm1pbGxlbm5pYWxsYXc6Y

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